

tioned him in some way. But had she done so in a manner to arouse any suspicion in Clare's mind of his identity? Did Clare remember him? Did she think of him? Would she forgive him when she should know all? These, and scores of cognate questions, did George Dallas put vainly to himself while he read to his mother a chapter of his novel, which certainly did not gain in effect by his abstraction. It pleased the listener, however, and she knew nothing of his preoccupation; and as he made the packet up for post he came to a resolution that on the following day he would tell Harriet "all about it," and act on her advice.

With nightfall the wind arose, and a storm blew and raged over the little white town, over the dark range of the Taunus, over the lighted gardens deserted by their usual frequenters, and, all unheeded, over the brilliant rooms where the play, and the dancing, and the music, the harmless amusement, and the harmful devilment went on just as usual. It blew over the house where Harriet lived, and raged against the windows of the room in which she sat in silence and darkness, except for the frequent glimmer which was thrown into the apartment from the street light, which shuddered and flickered in the rain and wind. Hour after hour she had sat there throughout the quiet evening during the lull, and when the darkness fell and the storm rose she laid her pale cheek against the window-pane and sat there still.

The shaded roads were deeply strewn with fallen leaves next day, and the sun-rays streamed far more freely through the branches, and glittered on pools of water in the hollows, and revealed much devastation among the flower-beds. Rain and wind had made a widespread excursion that night; had crossed the Channel, and rifled the gardens and the woods of Poynings, and swept away a heavy tribute from the grand avenue of beeches and the stately clump of sycamores which Clare Carruthers loved.

George had finished a drawing very carefully from the sketch which he had made of the avenue of beeches, and, thinking over his approaching communication to Harriet, he had taken the drawing from its place of concealment in his desk, and was looking at it, wondering whether the storm of the past night had done mischief at the Sycamores, when a servant knocked at the door of his room. He put the drawing out of sight, and bade the man come in. He handed George a note from Harriet, which he read with no small surprise.

It told him that Routh had been summoned to London, on important business, by a telegram—"from that mysterious Flinders, no doubt," thought George, as he looked ruefully at the note—and that they were on the point of starting from Homburg. "Seven o'clock" was written at the top of the sheet. They were gone then; had been gone for hours. It was very provoking. How dreary the place looked after the storm! How chilly the air

had become! How much he wished Arthur would "turn up," and that they might all get away!

OATHS.

WHAT is the definition of an oath? Is an oath in every case binding? Are there not cases where a man is justified in breaking his oath?

Oaths may be divided into many categories; they are as numerous and diverse as the constellations in the heavens. There are compulsory oaths; there are voluntary oaths. There are oaths which emanate from the innermost depths of a man's heart, and lie by his heart's side, as a sword does by the side of his body—ready for action, within his grasp, yet under his control.

In the intercourse of social life the word of a man of honour is equivalent to an oath. A man capable of breaking his word is capable of breaking his oath. A man who takes an oath in a legal form and breaks it becomes liable to the penalties adjudged by law. Some oaths are purely formal. Custom has sanctioned them as such.

"Let your communication," says St. Matthew, "be Yea, yea; nay, nay; for whatever is more than these cometh of evil."

Here we have the real value of an oath reduced to its simple and primeval form and purpose. Oaths date as far back as Noah. The Almighty made a covenant that there should never be a second flood.

The witness was the first rainbow.

Abraham, anxious that his son Isaac should not marry a daughter of the Canaanites, but one of his own kindred, made the eldest servant of his house take an oath to see his wish fulfilled. The manner in which that oath was administered is peculiar. The servant put his hand under the thigh of Abraham, and swore unto him. Rebecca became the wife of Isaac.

When Jacob took an oath with Labuan, they raised a pyramid of stones, which they named "the pyramid of witnesses."

As we proceed through the Biblical legends, we find that the children of Israel, obedient to an oath, embalmed the body of Joseph, and put it in a coffin in Egypt. In Numbers, Moses lays down the law about oaths clearly enough until he comes to the widows, where he breaks down. In Deuteronomy, an oath once "taken to the Lord" is declared inviolable. "That which has gone out of thy lips thou shalt keep and perform."

In the Acts, we find that certain Jews bound themselves under "a great curse" not to eat anything until they had slain Paul.

Are rash oaths to be kept? We say, No. Would it not have been more pleasing to the Lord, if Jephtha had spared his innocent child, and if Herod had declined to give Herodias John the Baptist's head in a charger? In our times, twelve honest Jews would have convicted Herod of wilful murder, and Herodias would,

with her mother, have been sent to a penitentiary.

The administration of an oath in judicial proceedings was introduced by the Saxons into England in the year of our Lord 600. The oath administered to a judge was settled in 1344. The oath of supremacy was first administered to British subjects, and ratified by parliament in 1535. The oath of allegiance was first framed and administered in 1605. The oath of abjuration, an obligation to maintain the government of king, lords, and commons, the Church of England, and toleration of Protestant dissenters, and abjuring all catholic pretenders to the crown, was taken in 1701. Oaths were taken on the Gospels as early as A.D. 528; and the words, "So help me, God and all saints," concluded an oath until 1550. The test and corporation oaths were modified in 1828. Acts abolishing oaths in the Customs and Excise departments, and in certain other cases, substituting declarations in lieu thereof, were passed in 1831. An affirmation instead of an oath, as regards Separatists, was admitted in 1837. In 1858 and 1860, Jews, elected members of parliament, were relieved from part of the oath of allegiance. In fact, if we take a rapid glance from the Deluge to the 26th July, 1858, when Baron Rothschild took his seat as M.P. for London, the startling conviction forces itself upon us that we are gradually coming to the "Yea, yea, and nay, nay," of St. Matthew.

The Test Act is a statute of Charles the Second, directing all officers, civil and military, under government, to receive the sacrament according to the forms of the Church of England, and to take the oaths against transubstantiation. This statute was enacted in March, 1673. The Test and Corporation Acts were repealed in 1828. This repealing act is entitled "An Act for repealing so much of several Acts as impose the necessity of receiving the Sacrament of the Lord's Supper as a qualification for certain offices and employments."

Quakers conscientiously objecting to oaths, their simple affirmation was accepted instead for the first time in 1696. The "affirmation" was altered in 1702, 1721, 1837, and in April, 1859. The indulgence was granted to persons who were formerly Quakers, but who had seceded from that sect, in 1838, and extended to other dissenters in Scotland in 1855. Quakers were relieved from oaths when elected to municipal offices, by an act which extended relief generally to all conscientious Christians of the Established Church, in 1828.

The Jews Oaths of Abjuration Bill had a fierce contest. Several times it passed in the Commons, and was thrown out in the Lords (1854-1857). In July, 1858, an act was passed by resolution of the House to enable Jews to sit in parliament; and, as stated above, on the 26th of July of that year, Baron Rothschild took his seat as M.P. for London, to commemorate which event he endowed a scholarship in the City of London School.

The forms of oath are different in the various

sects of Christians, and also amongst infidels. The Roman Catholics on the Continent swear by raising the hand; the Scotch Presbyterians do the same. Members of the Church of England are sworn on the Gospels; so are Irish Roman Catholics. In Wales there is a remarkable difference in the manner in which witnesses hold the Bible when they are sworn. An English witness always takes the book with his fingers under, and his thumb at the top of the book. A Welsh witness, on the contrary, takes it with his fingers at the top, and his thumb under the book. The original oath was probably taken by merely laying the hand upon the top of the book without kissing it. Lord Coke says it is called a "corporal oath" because the witness toucheth with his hand some part of the Holy Scripture. Lord Hale says: "The regular oath, as allowed by the laws of England, is: *Tactis sacrosanctis Dei Evangelis* (You swear by touching the holy Gospels); and, in the case of a Jew, *Tacto libro legis Mosaicæ* (You touch the book of the law of Moses)."

At Oxford, the oath is administered as follows:

"*Ita te Deus adjuvet tactis sacrosanctis Christi Evangelis*" (Thus God admonishes thee to swear by the most holy Gospels of Christ).

In none of these instances does "kissing" the book appear to be essential. Whereas the present form is, "So help you God, kiss the book;" but still a witness is always required to touch the book with his hand, and he is never permitted to hold the book with his hand in a glove.

There can be little doubt that the judicial oath was originally taken without kissing the book, but with the form of laying the right hand upon it. Amongst the Greeks, oaths were frequently accompanied by sacrifice; it was the custom to lay the hands upon the victim, or upon the altar, thereby calling to witness the deity by whom the oath was sworn. Christians, under the later Roman emperors, adopted the same ceremony.

According to the prophet Daniel, both hands were held up: "The man clothed in linen, which was upon the waters, held up his right hand and his left hand unto heaven, and swore by Him that liveth for ever and ever."

In Revelations we find: "And the angel which I saw stand upon the sea and the earth lifted up his hand to heaven, and swore by Him that liveth for ever and ever."

The various forms in which oaths were taken are most curious. By an old German law a wife could claim a present from her husband the morning after the wedding-night, by swearing to its amount on her breast, or by swearing on her two breasts and two tresses.

Nothing was more common than for a man to swear by his beard.

Edward the First of England swore an oath on two swans.

It was also very common from an early period, both in England and abroad, to swear by one, two, seven, or twelve churches. The

deponent went to the appointed number of churches, and at each, taking the ring of the church door in his hand, repeated the oath.

One of the most curious specimens of swearing men by that to which they attached most importance, is to be found in a Hindoo law. It says: "Let a judge swear a Brahmin by his veracity; a soldier by his horses, his elephants, or his arms; an agriculturist by his cows, his grain, or his money; and a Soudra by all his crimes."

In India, as also in England and in Ireland, pregnant women decline to take an oath. A Highlander, when sworn on the Gospels or the cross, cares little for his oath; but will keep it if sworn on the point of his dirk. The degenerate Romans of the Lower Empire thought it better to break an oath to God than to the emperor, because the former might forgive them, whilst the latter would not. Of all the Roman oaths, the military oath was the most sacred. It was taken upon the ensigns. Soldiers took it voluntarily, and promised (with imprecations) that they would not desert from the army, and not leave the ranks unless to fight against the enemy or to save a Roman citizen. In the year 216 before Christ, the soldiers were compelled by the tribunes to take an oath that they would meet at command of the consuls, and not leave their standards without their orders, thus making the military oath a *jusjurandum*. In the time of the Empire (according to Dionysius) a clause was added to the military oath, by which the soldiers declared that they would consider the safety of the emperor more important than anything else, and that they did not love either themselves or their children more than their sovereign. The oath was renewed each time that the soldier enlisted for a campaign.

Oaths have been sung in doggerel rhyme. From some verses headed, "The New Oath Examined and Found Guilty," we take the following:

Since oaths are Solemn Serious Things,
The best security to Kings,
And since we've all Allegiance swore
To J——, as king, or Successor,
I can't imagine how we may
Swear that or Fealty away.
Nought sure but Death or Resignation
Can free us from that Obligation.
All Oaths are vain, both those and these,
If we may break 'em as we please;
And did I fairly swallow both,
Who'd give a Farthing for my Oath?

* * * * *

And now I think I've made it clear
We cannot with good Conscience swear,
We cannot take Oaths Old and New
And to both Faithful prove and True.

The manner in which the natives of India are sworn is curious. A piece of lime (chumam), about the size of a pea, and a piece of betel-leaf are given to the witness to chew and swallow, and he is then solemnly warned that if he speaks anything but the truth after swallowing the above, the first time he expectorates afterwards

his heart's blood will come up. Now the amalgamation by mastication of the leaf and the lime with the gastric juices produces a substance much resembling blood. This superstition still prevails, and we could relate many instances.

When a Chinese is sworn, a live cock is brought into court, and the head of the bird cut off. In our earlier writers some oaths are impious and irreverent. Even in Chaucer it is advisable to make selections:

The Host swears, "By my father's soul."

Sir Thopas, "By ale and bread."

Arcite, "By my pan (head)."

Theseus, "By mighty Mars the rede."

The Carpenter's wife, "By St. Thomas of Kent."

The Marchaunt, "By St. Thomas of Inde."

The Cambridge scholar, "By my father's kinne."

Peter, the apprentice in Henry the Sixth, holds up his hands, and, accusing Horner, says: "By these ten bones, my lord, he did speak them to me in the garret, one night as we were scouring my lord of York's armour."

Much discussion has taken place at various times respecting the form of taking an oath, and the term corporal oath. Archbishop Whitgift, in a sermon before Queen Elizabeth, thus addressed her: "As all your predecessors were at their coronation, so you also were sworn before all the nobility and bishops then present, and in the presence of God, and in His stead, to him that anointed you, 'to maintain the church lands and the rights belonging to it;' and this testified openly at the holy altar, by laying your hands on the Bible then lying upon it."

Until the arrival of the English, the custom of swearing upon the Holy Evangelists was unknown to the Irish, who resorted instead to crosiers, bells, and other sacred reliquaries, to give solemnity to their declarations. Even when the Gospels were used, it was not uncommon to introduce some other object to render the oath doubly binding. At the time of Edward the First, official oaths were taken by presenting the book, when opened, to the person about to be sworn, in the manner at this day used in the Ecclesiastical Court at Guernsey. In the reign of James the First, the oath of allegiance was taken upon bended knee. There is a curious account of an oath taken by the Earl of Northumberland, in a manuscript which is preserved in the Lambeth library. The manuscript is, moreover, illuminated. The earl is represented kneeling before an altar, on which is placed a chalice, covered with the corporal cloth; in front of the chalice, and upon the corporal cloth, but uncovered, rests a large wafer, the "consecrated body of our Lord," which the earl touches with his right hand, whilst he appears to be speaking the words of the oath. The quotation is from a French metrical history of the deposition of King Richard the Second: " . . . Thus the king spake unto them; and they all agreed thereto, saying, 'Sire, let the

Earl of Northumberland be sent for, and let him forthwith be made to take the oath, as he hath declared he will if we all consent to all that he hath said.' Then was the earl, without further parley, called; and the king said to him, 'Northumberland, the duke hath sent you hither to reconcile us two; if you will swear upon the body of our Lord, which we will cause to be consecrated, that the whole of the matter related by you is true, that you have no hidden design therein of any kind whatsoever, but that like a notable lord you will surely keep the agreement, we will perform it.' . . . Then replied the earl, 'Sire, let the body of our Lord be consecrated; I will swear that there is no deceit in this affair, and that the duke will observe the whole as you will have heard me relate it here.' Each of them devoutly heard mass; then the earl, without further hesitation, made an oath on the body of our Lord. Alas! his blood must have turned, for he well knew the contrary."

Paley distinctly states, as his opinion, that the term "corporal," as applied to an oath, is derived from the "corporale," the square piece of linen upon which the chalice and host were placed. This opinion is open to challenge. Touching the book implies contact of the body with it. At a very early period the soldier swore by his sword. There exists an Anglo-Norman poem on the conquest of Ireland, by Henry the Second, in which we find:

Morice par sa espé ad juré,
N'i ad vassal si osé.

Dr. Owen, Vice-Chancellor of Oxford, being a witness for the plaintiff in a case, refused to be sworn in the usual manner, by laying his right hand upon the book, and by kissing it afterwards; but he caused the book to be held open before him, and he raised his right hand, whereupon the jury prayed the direction of the court whether they ought to weigh such evidence as strongly as the evidence of another witness. Glyn, chief justice, answered them that in his opinion he had taken as strong an oath as any other of the witnesses; but he added that, if he himself were to be sworn, he would lay his right hand upon the book itself. This case shows that the usual practice at the time it was decided was, not to take the book in the hand, but to lay the hand upon it. Now, if a person laid his hand upon a book, which rested on anything else, he most probably would lay his fingers upon it; and if he afterwards kissed it, would raise it with his fingers at the top and his thumb under the book; and possibly this may account for the practice in Wales.

Another point is, whether kissing the book is essential. The point is lucidly put by Lord Mansfield. According to the principles of common law (he says), there is no particular form essential to an oath to be taken by a witness; but, as the purpose of it is to bind his conscience, every man of every religion should be bound by that form which he himself thinks will bind his own conscience most.

Not long ago, in the Insolvent Debtors' Court, a witness, on being called, took the Testament in his left hand. He was told to take the book in his right hand. Commissioner Phillips said he did not see it made any difference, nor did he see why a glove should be taken off. Perhaps he thought the kiss more essential than the touch. Two questions arise. Can the touch of the book with a glove form a corporal oath? Is the touch of the naked lips equivalent to that of the hand uncovered? How often have witnesses shuffled out of the stringency of an oath by the ingenious device of kissing the thumb or the cuff of the coat in place of the book itself? We are forcibly driven back into the arms of St. Matthew. Yes or No distinctly spoken in the presence of a certain fixed number of men, or a man's signature to "I swear that I have told the truth," would suffice for all purposes when once admitted as legal; if perjured, let him take the legal consequences.

We now come to what may be called the Individual Oath—the oath which emanates from the heart of a man at the command of hatred, revenge, love, or superstition. We shall not enter into the latter two; for though we may smile at the rash vows and romantic oaths of love-sick youths and maidens, our blood would boil with indignation at recalling to mind the thousands of victims doomed to be immured for life within the walls of a convent, through having been compelled to take the oath of celibacy.

Hatred and revenge give rise to more legitimate oaths. They are the sparks which flash from the contact of the flint and steel of strong passions. There is something grand about them. When Argantes hears that Clorinda has been slain by Tancred, he takes a terrible oath:

Hierusalem! hear what Argantes saith.
Hear, Heaven! and if he break his oath and word,
Upon this head cast thunder in thy wrath.
I will destroy this Christian lord,
Who this fair dame by night thus murdered hath;
Nor from my side will I ungird this sword
Till Tancred's heart it cleave, and shed his blood,
And leave his corse to wolves and crows for food!

How he kept his oath, and paid the penalty with his life, forms one of the most brilliant episodes in Tasso's *Jerusalem Delivered*.

Another oath of double-dyed villany is that taken by Iago to Othello. The Moor swears:

Now by yond' marble heaven,
In the due reverence of a sacred vow
I here engage my words.

Iago's oath is more precise:

Witness yon ever-burning lights above!
You elements that clip us round about!
Witness that here Iago doth give up
The execution of his wit, hands, heart,
To wrong'd Othello's service! Let him command,
And to obey shall be in me remorse,
What bloody work soever.

From oaths we might proceed to curses
But thanks to the advance of civilisation, that

profane custom is gradually ebbing out, and such a profanation of the name of God seldom passes the lips of educated men.

PERFORMING ANIMALS.

It was an amusing study of the writer's younger days to visit any wonderful exhibitions of learned dogs, acting birds, &c., and to discover how they were taught. It is merely a work of time and patience to teach animals various feats of docility. Some are much more readily trained than others: especially the horse, the elephant, the dog, and the monkey. Although harsh treatment, beating, and half-starving, are too often resorted to, petting and kindness are more successful. At all events, a system of rewards for good behaviour is essential, and is uniformly practised even when alternated with correction for failure.

An accurate observer sees that, when horses apparently keep dancing-time to a band, it is the music which invariably adapts its time to the steps of the horse. There is now in the Cirque Napoléon, in Paris, a large ape admirably trained to all the various feats of a circus-rider. He jumps on the horse, and is carried round and round. He stands on one leg, holding out the other with his hand, vaults over a riding-whip, stands on his head, turns somersets, jumps over garters and through hoops covered with paper, all in regular sequence as the music changes. In taking his leaps he sometimes misses the horse in his descent, and then he runs rapidly after him, scrambles on the side palisades, and climbs to his place, keeping, all the time, the most perfect gravity of demeanour, instead of the grinning, self-satisfied smiles of his human compeers. Here, there has been a mixture of petting and flogging. At any failure, we noticed that poor Jacko looked frightened, and received a sly cut of the whip; after a successful feat, he had a little sweetmeat from the pocket of the master of the ring.

About forty-five years ago, a learned dog was exhibited in Piccadilly—Munito, a clever French poodle, very handsome, with a fine silky white woolly coat, half-shaved. He performed many curious feats, answering questions, telling the hour of the day, the day of the week or date of the month, and picking out any cards called for from a pack spread on the ground. At the corner of the room was a screen, behind which the dog and his master disappeared between each feat for a short time. We watched him narrowly; but it was not until after our second visit that the mystery was solved. There were packs of ordinary cards, and other cards with figures, and others with single letters. One of the spectators was requested to name a card—say the queen of clubs—the pack was spread on the floor in a circle, faces upward. Munito went round the circle, came to the queen of clubs, pounced upon it, and brought it in his mouth to his master. The same process was repeated with the cards with figures, when

he brought the exact numbers which answered the questions put as to dates, or days, or hours; in the same way with the letter cards, when he picked out the necessary letters to spell any short word called for, always making a full circle of the whole of the cards for each letter or for each number, and never taking up two letters or two numbers consecutively, though they might chance to lie close together. This fact we made out at the first visit, but nothing more. On the second occasion we watched more narrowly, and with that object took a side seat, so that we had a partial view behind the screen. We then noticed that between each feat the master gave the dog some small bits of some sort of food, and that there was a faint smell of aniseed from that corner of the room. We noticed that the dog, as he passed round the circle of cards, with his nose down and his eyes directed to the ground, never pounced on the right card as his eyes covered it, but turned back and picked it out. It was clear that he chose it by the smell, and not by that of sight. We recalled that, each time before the dog began his circuit, the master arranged and settled the cards, and we then found that he pressed the fleshy part of his thumb on the particular card the dog was to draw, which thumb he previously put into his waistcoat-pocket for an instant; and as he passed close to us, his waistcoat had an aniseed scent. After the performance, we remained until the room was clear, and then spoke to the master. He did not deny the discovery of his principle.

This clue enabled us some few years afterwards to explain the trick with cards, performed by a Java sparrow, exhibited along with other performing birds. The general feats were common enough, and were obviously the result of mere training: such as firing a small cannon, lying as if struck dead, drawing a little carriage—the bird putting its own head through the collar attached to the shafts, and another bird acting as coachman, &c.; but the card trick might have been taken to denote reason on the bird's part. A dirty pack of cards was handed to one of the company, who selected a card, and gave it back to the exhibitor, who shuffled the pack after replacing the card; he then put the pack upright in a kind of card-case, which so held them as to leave about half an inch above the brim. The Java sparrow hopped on the card pack, and presently began to peck at one of the cards, and finally drew out the identical one that had been drawn. The explanation became easy on examining the cards. At one end, each card had a thin layer of sweet-wafer paste; the selected card was taken by the exhibitor and placed in the pack; all the rest of the cards had the paste end downward, while this card alone was placed back in the pack with the opposite end upward. And the bird naturally pecked at that end.

Many people have seen an exhibition of a learned pig, whose performances were very similar to those of the learned dog: such as